

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

GAEDEKE HOLDINGS VII, LTD., AND)	
GAEDEKE OIL & GAS)	
OPERATING, LLC.,)	
)	
Plaintiffs,)	
)	
vs.)	Case No. CIV-11-649-M
)	
DAVID MILLS, et al.,)	
)	
Defendants.)	

ORDER

Before the Court is Gaedeke's Motion to Compel Discovery from Defendant Mayhem Oil and Gas, Inc., filed May 20, 2013. Defendant Mayhem Oil's response was filed on June 6, 2013. This case is currently set on the Court's August, 2013 trial docket.


Gaedeke Holdings VII, Ltd. and Gaedeke Oil & Gas Operating, LLC. ("plaintiffs") contend they served document requests upon Defendant Mayhem Oil and Gas, Inc. ("Mayhem") on September 19, 2012. Plaintiffs contend some eight months later, Mayhem has not produced a single document. Plaintiffs contend they have written letters and sent e-mails and conferred with Mayhem's lawyers in Oklahoma City.

Mayhem contends that on March 22, 2013, plaintiffs' counsel met with Mayhem's counsel to discuss the substance of plaintiffs' 48 requests. Mayhem contends during the March meeting the parties were able to resolve all but a few of plaintiffs' requests. Mayhem notes that several boxes of documents are ready and waiting for plaintiffs' inspection. Mayhem contends contrary to plaintiffs' assertion the parties have not conferred in good faith pursuant to LCvR37.1. Mayhem contends in an attempt to resolve any remaining discovery issues with plaintiffs Mayhem's counsel submitted an April 3, 2013 follow-up response in an attempt to

resolve the remaining discovery issues.

Upon review of the parties' submissions, the Court finds plaintiffs have failed to advise the Court in writing that a sincere attempt to resolve the remaining discovery issues has occurred. Additionally, the Court finds plaintiffs' waiting eight months before filing its motion to compel, and approximately two months before trial, untimely. In light of the above, the Court DENIES, Gaedeke's Motion to Compel Discovery from Defendant Mayhem Oil and Gas, Inc. [docket no. 122].

IT IS SO ORDERED this 13th day of June, 2013.


VICKI MILES-LAGRANGE
CHIEF UNITED STATES DISTRICT JUDGE